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MAUMEE RIVERFRONT PLAN

PRELIMINARY EXECUTIVE SUMMARY

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MAUMEE RIVERFRONT PLAN

PRELIMINARY EXECUTIVE SUMMARY

Prepared by
Toledo-Lucas County Plan Commissions

January 1981

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MAUMEE RIVERFRONT PLAN

Historically, the Maumee Riverfront has served as the life blood of Toledo, reflecting the City's transition from a canal town in the mid-nineteenth century to the world port it is today. Industrial and commercial activity have long characterized large segments of the riverfront. Recognizing that these uses are vital to Toledo's economy, concern must also be given to the re-establishment of the

Maumee River as a physical symbol of the city. An opportunity now exists to rediscover the waterfront in a meaningful way for many different types of water-oriented uses. This Maumee Riverfront Plan seeks to encourage the coordination of these residential, recreational, commercial and industrial land uses for the benefit of all Toledo area residents.

INTRODUCTION

Since 1975 when the "Toledo Looks to the River" report was published, there has been an increasing public awareness of the Maumee riverfront. Possibilities now exist for the redevelopment of large sections of the riverfront for water-oriented uses such as public open space, waterfront housing, mixed residential/commercial uses along with industry and commerce utilizing the services of the Port of Toledo. Work towards this new vision of the waterfront began in February of 1978 with the passage by City Council of the Maumee Overlay District. This overlay zoning district, which provides for City Plan Commission site plan review, was adopted on an interim basis until a detailed planning study of the waterfront could be completed. In July, 1978, the Toledo-Lucas County Plan Commissions became involved

in the Coastal Zone Management Program of the State of Ohio and a comprehensive study program was undertaken for the Maumee Riverfront Plan.

Federal, State and City endeavors such as Promenade Park, International Park, the proposed Middlegrounds acquisition are all related to private developments like Fort Industry Square, the Northriver Plan, and the Merchant Marine Engineer's Benevolent Association's Headquarters. These plans actively demonstrate the private and public sectors renewed willingness to invest in Toledo's riverfront, thereby complementing the catalytic \$100 million investment of the Owens-Illinois Corporate World Headquarters. The Maumee Riverfront Plan will continue to encourage this growth and redevelopment.

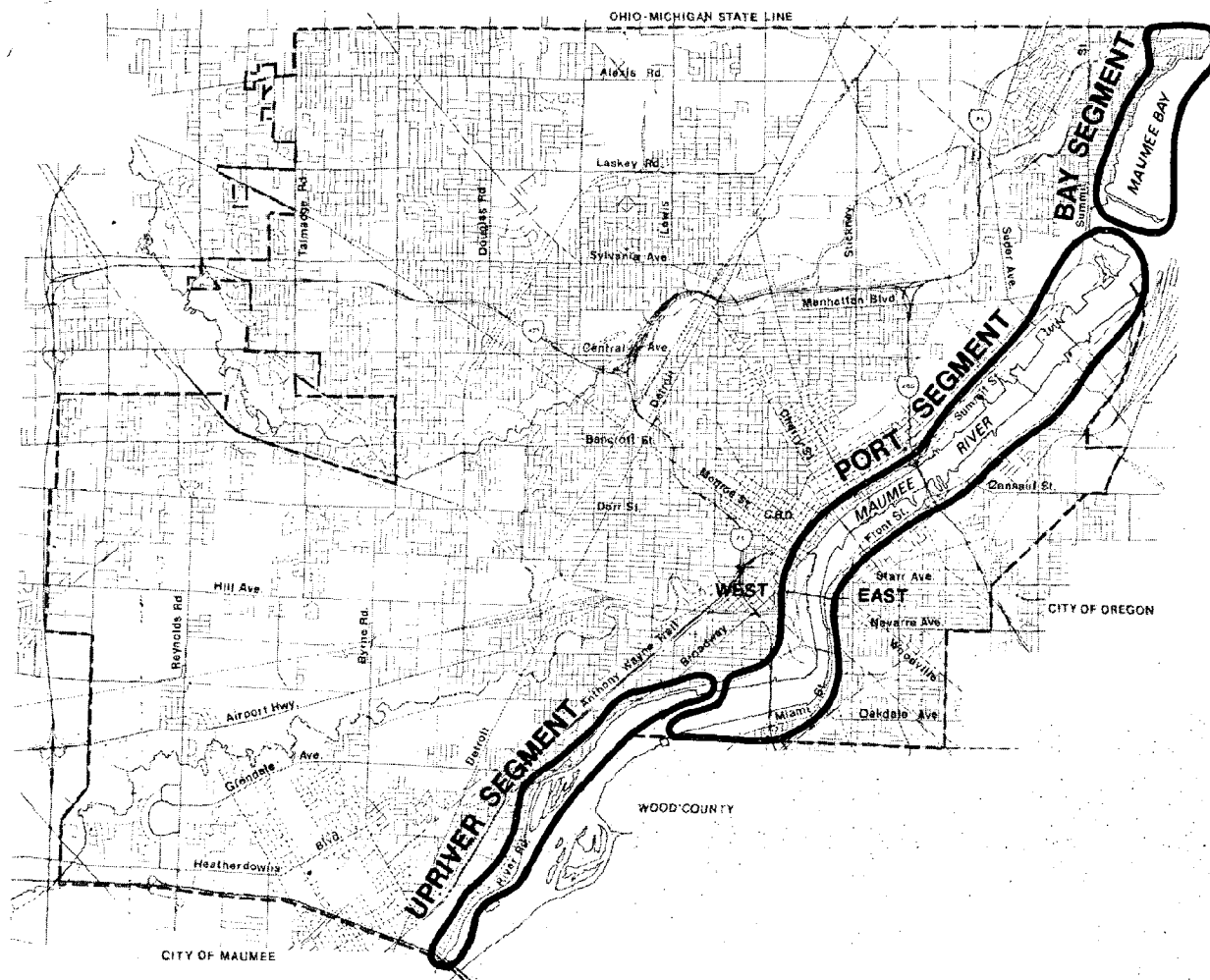
OVERVIEW

The study area for the Maumee Riverfront Plan encompasses about 3.7 square miles of shoreline from the southern city boundary with Maumee and Rossford to the Michigan State Line and Oregon. The boundaries follow those established for the Maumee Overlay District. Because of its length, the riverfront has been divided into three planning segments, each with distinct characteristics:

- Upriver. This is the area from the Ohio Turnpike to Maumee Avenue. Residential in character, this planning segment is a part of the South Side community dating from the late 19th and early 20th century.
- Port. On the west side, this area extends from Maumee Avenue to Detwiler Park and includes all of the east side riverfront. Besides the downtown riverfront, this planning segment contains most of the maritime shipping facilities and has the most complex urban character of the three areas.

- Bay. This planning segment extends from Detwiler Park to the Michigan State Line. A former summer resort area of the late 19th century, today the community is known as Point Place.

The Maumee Riverfront Plan proposes access to the riverfront for many diverse users, each in keeping with the different characteristics of three planning segments. Island and shore erosion protection and increased public recreation space is emphasized for the Upriver segment. The existing low density residential character of the area will be maintained. The Port segment would become the focal point for a variety of urban uses with areas for waterfront housing in the Middlegrounds and in North Toledo, major parks in the downtown area and an increase in port activities. These various functions will often be in close proximity to each other or even be shared uses offering unique development opportunities. The Bay segment, like the Upriver area, is primarily residential in character and will remain so with long term development of community and regional park facilities on Maumee Bay.



LOCATION MAP WITH PLANNING SEGMENTS

Maumee Riverfront Plan



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Environment

There is a difference in environment between the three planning segments and within each segment. There is a marked change in topography along the waterfront ranging from the 40 foot high riverbank in the Upriver area to the flat shoreline barely above water level in the Bay area. The warm water habitat for fish is fairly consistent along the riverfront except where Swan Creek empties into the river, temporarily increasing the river pollution load.

Concern	Upriver	Port	Bay
<u>Topography</u>			
Elevation	617'-580'	580'-577'	580'-577'
Erosion	Shore & Island	Man-made	Diked
Flooding	No	No	Diked
<u>Water Quality</u>			
Dissolved oxygen	Yes	Yes	Yes
Fecal coliforms	Yes	Yes	Yes
Combined sewer overflow	Yes	Yes	No
Warm water habitat	Good	Limited	Good
<u>Air Quality</u>			
Pollution	Low	Mod.	Mod-Intense

Population and Housing

Presently there is no riverfront residential community along the Port segment of the riverfront. Conversely the Upriver and Bay segments are predominately single-family neighborhoods which reach to the river's edge.

	Upriver	Port	Bay
Population	290	42	1,048
Total Housing Units	181	15	388
Single Family Units	107	15	374

Existing Zoning and Land Use

● Upriver. The largest category is open space encompassing 51% of the river frontage. Single family residences and much of the open space is zoned residential, R-1 being the predominate zoning district.

● Port. While 67% and 99% of the river frontage in this segment is zoned industrial, on the west and east side of the river respectively, only 34% and 70% respectively of this industrially zoned area is utilized for industrial purposes. Because of this underutilization, about 30% of the land area on the east side is now vacant.

● Bay. A large portion of the vacant land in this segment is the 187 acre Cullen Island.

EXISTING LAND USE

Category	Upriver	Port		Bay
		West	East	
Residential	30.2%	0.6%	0.1%	26.1%
Commercial	1.6%	4.1%	2.5%	1.4%
Industrial	4.5%	34.1%	70.9%	
Public & Semi Public Open Space	51.3%	32.0%	8.4%	7.6%
Vacant	12.4%	29.2%	18.1%	64.9%
Total	100%	100%	100%	100%

EXISTING ZONING

Category	Upriver	Port		Bay
		West	East	
Residential	82.1%	20.6%	-	42.0%
Commercial	5.2%	4.0%	0.1%	2.3%
Industrial	12.7%	67.6%	99.9%	-
Park	-	7.8%	-	-
Unzoned	-	-	-	55.7%
Total	100%	100%	100%	100%

Public Utilities

The utility service within the riverfront area is adequate. The primary operational problems are the aged combined sewer overflow regulators which often malfunction during rainstorms and allow raw sewage to enter the river.

Water Pressure	Upriver	Port	Bay
Normally	Avg. to Good	Good to Excel.	Good
Fire Situation	Poor to Fair	Fair to Good	Fair to Good
Sewer Service			
Separate Sewers	So. of Thomas Pk.	No. of Manhattan	Through-out
Combined Sewers	No. of Thomas Pk.	No. of Manhattan	None
Condition of Overflow Regulators	Poor	Poor	

Special Concerns

The following is a list of concerns for the riverfront. As these are addressed, the riverfront will become more accessible and become an aesthetically pleasing place to live, work and play.

There are recommended actions listed in the Plan that address some of these concerns through policy guidelines, site planning techniques and land use designations. Other concerns must be addressed through the cooperative efforts of various public agencies and the private sector.

SPECIAL CONCERNS	UPRIVER	PORT	BAY
Agricultural Runoff	X	X	
Island Erosion	X		
Shoreline Erosion	X	X	X
Industry-Residential Conflicts	X		
Parking/Residential	X		
Parking/Commercial	X		
Parking/Industrial	X		
River Pollution	X	X	
Malfunctioning Combined Sewer Overflow Regulators	X	X	
Inadequate Rail Network Use		X	
Inadequate Marina Facilities		X	
Insufficient Winter Layover Berths		X	
Insufficient Park Space		X	X
Air Pollution		X	
Poor Freeway Access		X	
Inadequate Access to Undeveloped Land		X	
Railway Overpasses Needed		X	
Bridge Opening Traffic Jams		X	
Use of Riverfront Land by Non-Water Oriented Industry	X	X	
Deteriorated Bldgs.		X	
Illegal Dumping		X	

PROPOSED LAND USE PLAN

The summary of the proposed land use plan outlines specific land use concerns for each of the three planning segments. Listed beside each con-

cern is a recommended action or actions which addresses the concern. Each recommendation is also keyed to a map of the planning segment.

Upriver Segment

CONCERN

Retain and strengthen all existing residential areas.

Reduce erosion of the Maumee River islands and shoreline.

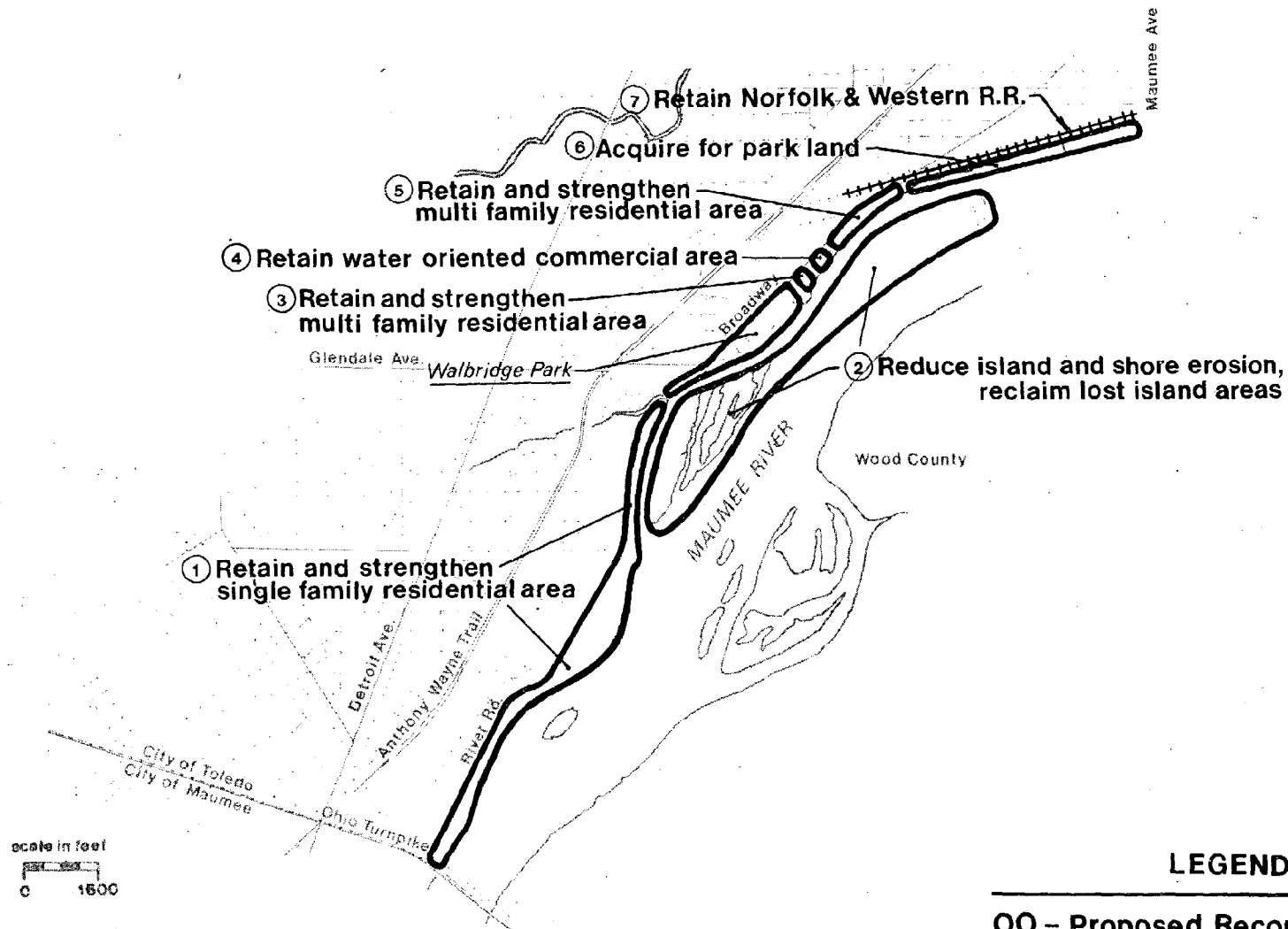
Need to increase South Side neighborhood access to river's edge.

Provide rail service into the industrial portion of the Middlegrounds area.

MAP NUMBER

RECOMMENDATION

- ① Designate land use and zoning south of Walbridge Park as single family to reflect the dominant land use.
- ③ ⑤ Designate land use and zoning north of Walbridge Park as multi-family to reflect the dominant land use.
- ④ Retain the existing water-oriented commercial area.
- ② Provide city or state control of remaining privately held islands and conduct a detailed erosion study which would result in some 30 acres of reclaimed island area.
- ⑥ Implement the 1978 Riverfront South park land acquisition project for 37 acres on the harbor line from Waterworks Drive to Maumee Street.
- ⑦ Retain Norfolk & Western Railroad along northern boundary of the Upriver segment.



UPRIVER SEGMENT LAND USE PLAN RECOMMENDATIONS

Maumee Riverfront Plan



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Port Segment

CONCERN

Encourage water-oriented industrial uses between I-475 bridge and High Level bridge in the Middlegrounds area.

Need for riverfront housing and commercial development on a mixed use concept close to downtown to complement current downtown revitalization efforts.

Need for regional public waterfront recreational facilities to complement downtown revitalization.

Extend downtown public waterfront access north of Cherry Street.

MAP NUMBER

RECOMMENDATION

- ⑧ Provide truck access into this area to allow the redevelopment of vacant railroad property for water-oriented industrial uses.
- ⑨ Designate and acquire for redevelopment 70 acres of the Middlegrounds north of the High Level Bridge for waterfront housing and public open space.
- ⑫ Designate 18 acres between Water and Summit Streets north of Cherry Street for residential/commercial redevelopment.
- ⑫ Designate a 6.5 acre site east of International Park for residential redevelopment, replacing an existing area of non-water oriented commercial uses.
- ⑫ Designate the 19 acre Sports Arena site on the east side for residential/commercial redevelopment.
- ⑩ Implement Promenade Master Plan.
- ⑫ Implement International Park Master Plan.
- ⑪ Reuse of land (Hosko Fish Bldg.) for public recreation/commercial uses.

<u>CONCERN</u>
Underused warehouse (Old Penn Central Station) and Conrail trackage.
Long term incompatibility of industrial uses along waterfront from Mulberry St. to I-280 to the North Toledo N.S.A. Program.
Increase North Toledo Neighborhood access to river's edge.
Encourage multi-family riverfront development north of Riverside Park.
Need for additional marina facilities.
Underused Conrail trackage on the east side from Navarre Ave. to the Sports Arena and spur to Toledo Edison Acme Plant.

<u>MAP NUMBER</u>	<u>RECOMMENDATION</u>
(13)	Redevelop for water-oriented commercial uses.
(14)	Designate area for eventual residential redevelopment.
(15)	Acquire Consolidated Dock property to expand Riverside Park south to the I-280 Bridge.
(17) (19)	Implement the 1978 Riverfront North park land acquisition project for 90 acres north of Walbridge Park.
(16) (18)	Designate sites now occupied with vacant or non-water oriented commercial/industrial uses for residential redevelopment.
(20)	Allow for the expansion of marina facilities in the vicinity of Harrison Marina.
(21)	Abandon trackage and allow for the potential reuse of this right-of-way for recreational uses and park linkages.
(27)	Provide new rail access spur off of Norfolk & Western RR under I-280 bridge for the Toledo Edison Acme Plant.

CONCERN

Extend the Ravine/Optimist Park greenbelt to the waterfront.

Unused fly ash fill site (Thomas Edison Park) east of Toledo Edison Acme Plant. Inadequate public access for park purposes.

Increase Birmingham Neighborhood access to river's edge.

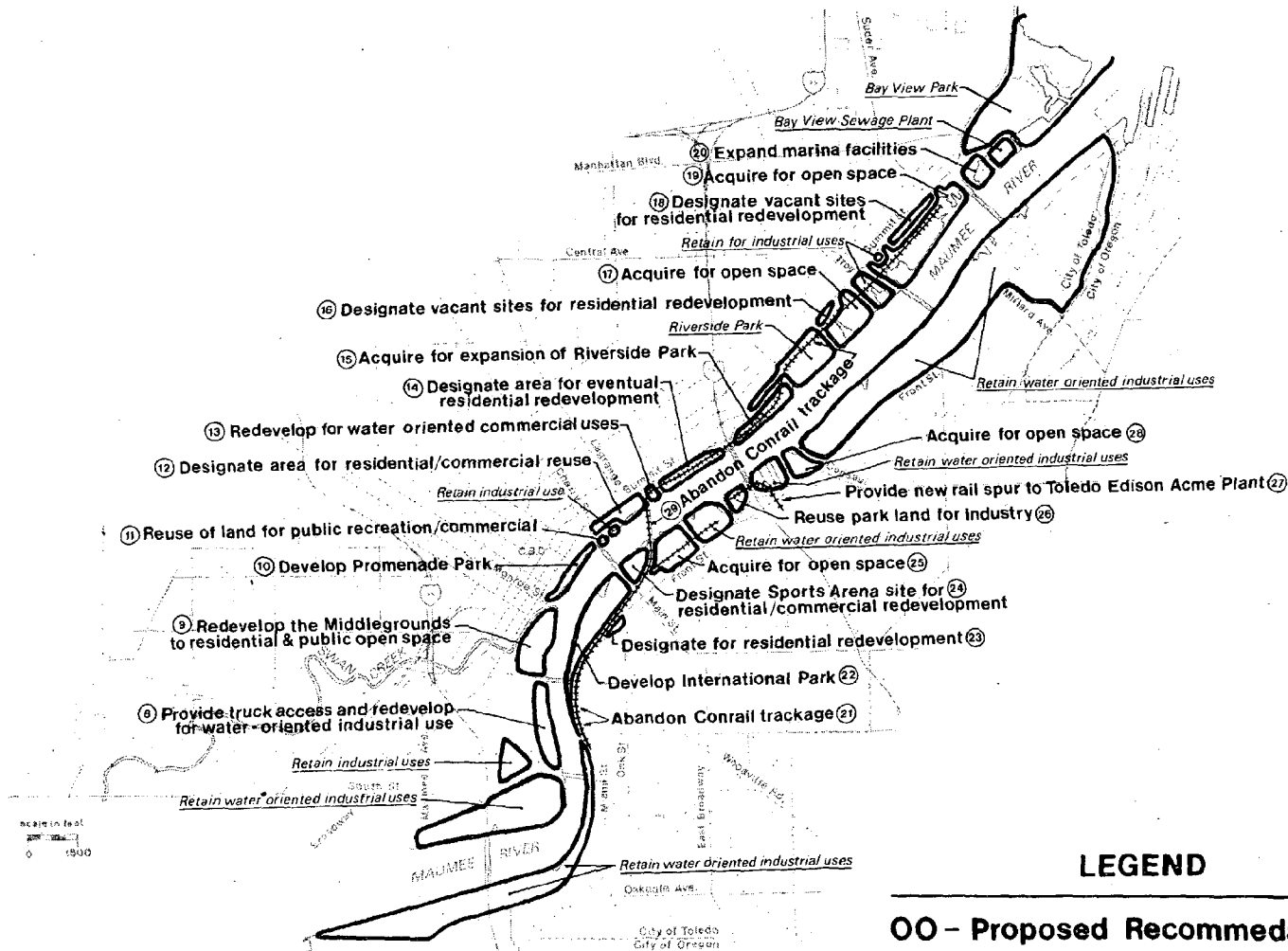
Underused Conrail trackage between Lagrange Street and the Norfolk & Western RR Bridge in North Toledo.

Steep banks on man-made fill areas result in excessive shoreline erosion.

MAP
NUMBER

RECOMMENDATION

- ②5 Acquire land for public open space adjacent to Brennan Marina and Front Street.
- ②6 Sell Thomas Edison Park for water-oriented industrial use.
- ②8 Extend Ravine Park greenbelt to the waterfront by acquiring land along Consaul Street.
- ②9 Abandon trackage and allow for the potential reuse of this right-of-way for recreational uses and park linkages.
- Encourage property owners to regrade riverbank slopes to less than 40° and plant vegetation to reduce erosion.



LEGEND

OO - Proposed Recommendations

OO - Existing Uses

PORT SEGMENT LAND USE PLAN RECOMMENDATIONS

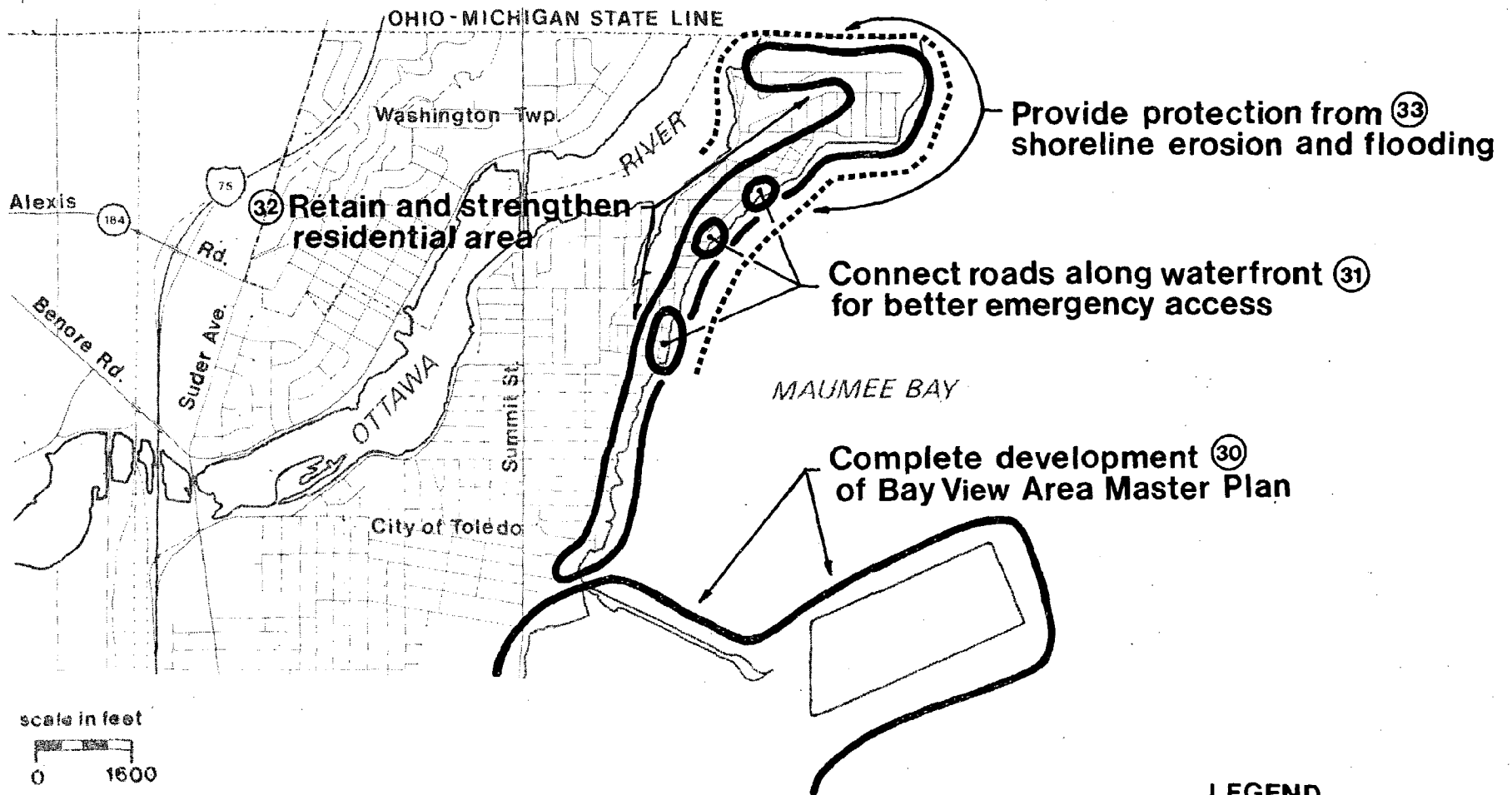
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Bay Segment

<u>CONCERN</u>	<u>MAP NUMBER</u>	<u>RECOMMENDATION</u>
Need for public access to lake and bay.	③0	Complete development of Bay View Area Master Plan.
Assured emergency access to Edgewater Drive neighborhoods.	③1	Connect roads along waterfront.
Retain and strengthen existing residential areas.	③2	Designate land use and zoning as residential to reflect the dominant land uses.
Shoreline erosion and flooding.	③3	Provide protection from shoreline erosion and flooding problems.



LEGEND

OO - Proposed Recommendations

OO - Existing Uses

BAY SEGMENT LAND USE PLAN RECOMMENDATIONS

Maumee Riverfront Plan



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COMPARISON TABLE OF OF EXISTING AND PROPOSED LAND USES

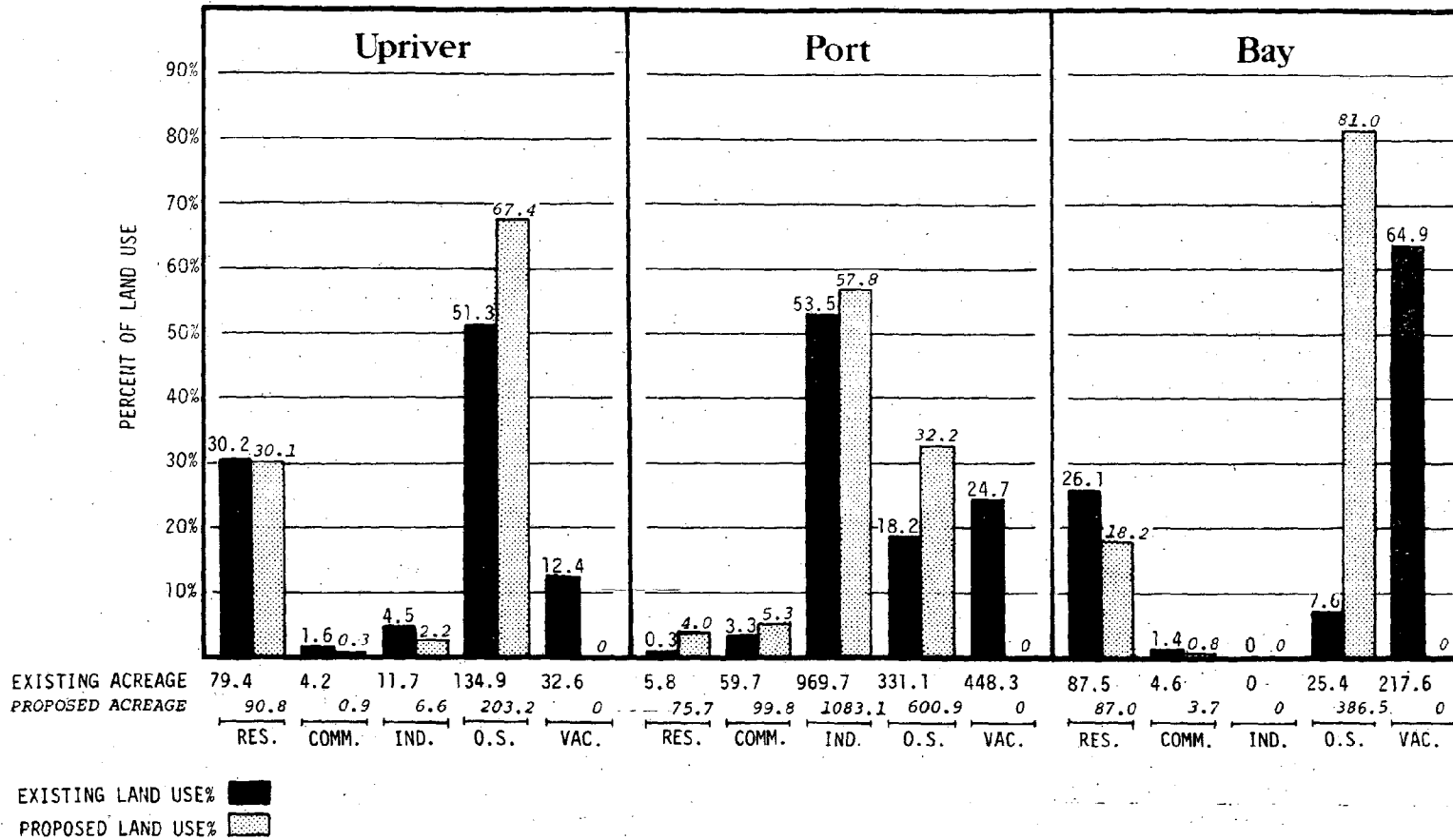
This table summarizes the changes in land use that would occur if all recommendations were implemented. Of the three planning segments, the Upriver area would change the least. Within this area, open space would increase if and when Horseshoe, Clark and Corbutt Islands are reclaimed to their former size.

The recommendations of the Plan for the Port segment in general allocates now vacant industrial land to each of the other four land use categories. Some existing industrially used land is designated for eventual redevelopment, but

the total land available for water-oriented industry does show an increase over what is now actually in industrial use.

The implementation of the Bay View Area Master Plan, which includes the dredge filled Cullen Island, would increase by several hundred acres the amount of usable open space within the Bay segment. The 187 acre Cullen Island is shown as existing vacant land in the table.

COMPARISON TABLE OF EXISTING AND PROPOSED LAND USES



IMPLEMENTATION

Maumee Riverfront Overlay District

The Maumee Riverfront Overlay Zoning District (MR-O) was approved by City Council in February, 1978, and extended in August, 1979, for a total effective time period of three years. The District contains a "sunset" clause, the automatic expiration of the District unless specifically extended. This time period is intended to allow for the development of a riverfront land use plan and as a testing of the overlay concept. A six-month extension is now being considered by City Council to allow for the review of recommendations contained in the Maumee Riverfront Plan and to review the following suggested MR-O modifications based on the Riverfront Plan.

A total of twelve cases have been reviewed under the MR-O either administratively or as formal reviews by the Plan Commission. All cases have been eventually approved; two cases were appealed and ultimately determined by City Council. The average time duration for reviews has been 39 days. Dollar value

of construction has been over 40 million during the past three years disputing concerns that the MR-O would adversely affect the commercial and industrial development of the port.

The MR-O, while not yet used to directly prohibit any projects, has provided numerous opportunities for negotiated public benefits, such as the gaining of a public riverfront viewing area in exchange for a smaller former right-of-way area.

The suggested modifications are primarily within the land use designation areas. The two land use designations for residential, park, and water oriented recreation and for water oriented industry remain generally the same. Based on the planning done for the Riverfront Plan, the shared uses designation has been eliminated and the area within this designation placed either in the new commercial and high density land use designation or in one of the other two land use designation areas.

The crossed out words in the text are suggested deletions and words typed in italics suggested ordinance changes.

Article XXVI

MAUMEE RIVERFRONT OVERLAY DISTRICT

SECTION 9-26-1 Creation of District

SECTION 9-26-2 Effect of District

SECTION 9-26-3 Purpose and Intent

SECTION 9-26-4 Variation of Zoning District Regulations

- A. Variation of Regulations
- B. Zoning Map Notation
- C. Prohibition of Change
- D. Limited Exemption from Review

SECTION 9-26-5 Review Procedure and Guidelines

A. Procedure

- 1. Submission of Plans
- 2. Administrative Review
- 3. Plan Commission Review
- 4. General

B. Guidelines

- 1. General Sources
- 2. Specific Items
- 3. Uses

Article XXVI

MAUMEE RIVERFRONT OVERLAY DISTRICT

SECTION 9-26-1 Creation of District

The Maumee Riverfront Overlay District, which may be referred to as the MR-0, is hereby created as an overlay district to be applied to such lands related to and adjacent to the Maumee River and Maumee Bay as the Council of the City of Toledo may designate by ordinance. The MR-0 District boundary, after designation by Council, shall be shown on the zoning map as an overlay so that the underlying zoning district will remain legible.

SECTION 9-26-2 Effect of District

The MR-0 District may have the effect of modifying the requirements, regulations, and procedures applying in existing districts or districts thereafter created and remaining after the MR-0 is superimposed, pursuant to the following regulations in Article 26.

SECTION 9-26-3 Purpose and Intent

The Maumee Riverfront District is of special and substantial public interest because of its location along the lower reaches of the major river in the region. The river is a visual, environmental and transportation resource affecting substantial portions of the City of Toledo including many neighborhoods, the Central Business District, numerous parks, and several areas designated or with the potential for re-development. It is the general purpose and intent of these regulations to

provide for maximum public benefit from the further development of the riverfront area, ~~through a combination and sharing of land uses.~~ through a sharing of the district land by different types of uses which are developed with a river orientation and with an emphasis on the opportunity for enjoyment of river vistas and access by a maximum number of citizens. It is further the intent of this ordinance to provide for public access to the waterfront, eliminate or minimize negative environmental impact, improved scenic and aesthetic controls, improved transportation co-ordination and capability, and the ~~benefi-~~ ~~cial~~ co-ordination of residential, recreational, commercial, and industrial land uses.

It is further the purpose and intent of this ordinance:

a) To promote within areas designated principally for residential, park and water-oriented recreation uses a superior level of public access, convenience, comfort, and amenity; to encourage safe and efficient pedestrian and vehicular access, to provide adequate parking, to preserve and enhance principal vistas and visual relationships, and to promote a beneficial relationship between the waterfront area and adjoining areas.

Such designated areas located within the MR-O District are:

1. ~~Downriver from the Craig (I-280) Bridge on the northwesterly side of the river, excluding the area fronting on the easterly side of Summit Street between Troy Street and the Toledo Terminal Railroad tracks northeasterly~~

~~of Suder Avenue to a depth of 200 feet, more or less, easterly from Summit Street to and including the Con Rail Railroad siding running generally parallel to Summit Street.~~

1. The area on the west side of the river from the Craig (I-280) Bridge downriver in a northeasterly direction to the Ohio boundary with the State of Michigan; excluding the area fronting on the easterly side of Summit Street between Troy Street and the Toledo Terminal Railroad tracks 850 feet more or less northeasterly of Suder Avenue, to a depth of 200 feet, more or less, easterly from Summit to but excluding the Con Rail Railroad siding running generally parallel to Summit Street.

2. ~~Upriver on the westerly side of the Maumee River from the centerline of Maumee Avenue extended southerly in a straight line to the river.~~

2. The area on the west side of the river, from the easterly line of Maumee Avenue which is the westerly line of Lot 380 in Knowens 2nd Addition as projected in a straight line to the Maumee River harbor line, upriver in a southeasterly direction to the city boundary with the City of Maumee.

3. The area on the east side of the river from the centerline of Main Street upriver in a southeasterly direction to a straight line drawn easterly from a point on the east harbor line 208.86 feet southerly of harbor line point Navarre, which point is also the southwesterly corner of International Park and extending said straight line parallel to the centerline extended and the centerline of Navarre Avenue to its

intersection with the centerline of Miami Street; excepting therefrom the area beginning at a point on the southerly right-of-way of the Con Rail Railroad (formerly Pennsylvania Railroad) where it is intersected by the centerline of Oak Street extended northerly in a straight line from its intersection with Front Street, thence southerly along the centerline extended and the centerline of Oak Street to its intersection with the centerline of First Street, thence southwesterly along the centerline of First Street a distance of 1080 feet more or less as extended to the centerline of Yondota Street extended, thence northerly along the centerline of Yondota Street extended to the south line of the Con Rail Railroad (formerly Pennsylvania Railroad) right-of-way, thence northeasterly along the southerly line of the said railroad right-of-way to the point of beginning.

4. The area within the MR-0 District bounded by a line beginning at the intersection of the centerline of Consaul Street with the centerline of Front Street, thence in a northeasterly direction along the centerline of Front Street to a point which is 150 feet from the centerline of Consaul Street as measured along a line perpendicular to said centerline thence in a northwesterly direction and parallel to the centerline of Consaul Street along a line extended in a straight line to the Harbor Line thence in a southwesterly direction along the harbor line to a point 600 feet southwesterly of the centerline of Consaul Street projected to the harbor line, thence in a southwesterly direction and parallel to the said centerline of Consaul Street a distance of 1280 feet more or less to the centerline of Front Street, thence in a northeasterly direction to the point of beginning.

~~b) To encourage and foster within areas designated principally for commerce and industry, water-oriented commerce and industry and to consolidate and unify such development in locations with adequate land area and access capabilities.~~

b) To encourage and foster water-oriented industry and to consolidate and unify such development in locations with adequate land area and access capabilities.

Such designated areas, within the MR-0 District, are:

1. ~~Downriver from the Graig (I-280) Bridge on the east side of the river, except within 100 feet of Consaul Street between Front Street and the Maumee River, and within 50 feet of Front Street between Esther Street and York Street.~~

1. The area on the east side of the river and downriver to the City boundary with the City of Oregon northeasterly from a line beginning at the intersection of the line between Lots 2 and 3 of the Partition Plat of part of Section 31, Town 9 South, Range 8 East, (C.P. Ct. #38019) with the harbor line, thence southeasterly along said line between Lots 2 and 3 for 1000 feet more or less to the north line of the Con Rail Railroad siding 224 feet more or less northwesterly of Front Street, thence along the northerly line of said railroad siding in a northwesterly direction to the northeasterly line of Lot 3 in said partition of Section 31, thence in a southerly direction along the said northeasterly line of Lot 3 extended to the centerline of Front Street,

excepting therefrom; an area bounded by a line beginning at the intersection of the centerline of Consaul Street with the centerline of Front Street thence in a northeasterly direction along the centerline of Front Street to a point which is 150 feet from the centerline of Consaul Street as measured along a line perpendicular to said centerline thence in a northwesterly direction and parallel to the centerline of Consaul Street along a line extended to the harbor line, thence in a southwesterly direction along the harbor line to a point 600 feet southwesterly of the centerline of Consaul Street projected to the harbor line, thence in a southwesterly direction and parallel to the said centerline of Consaul Street a distance of 1280 feet more or less to the centerline of Front Street, thence in a northeasterly direction to the point of beginning.

2. ~~On the westerly side of the river between the Penn Central (formerly New York Central) Railroad Bridge and main right-of-way into and through the middle grounds and the I-75 Bridge, and between said Penn Central Bridge and main right-of-way and a straight line bearing due east to the Maumee River from the intersection of Emerald Avenue with the centerline of Morris Street.~~

2. The area on the west side of the river from a line coincident with the southerly line of the Anthony Wayne Hi Level Bridge right-of-way projected perpendicularly to the ground and extended westerly to the centerline of Morris Street upriver in southeasterly direction to the easterly line of Maumee Avenue which is the westerly line of Lot 380 in Knowens 2nd Addition as projected in a straight line to the Maumee River harbor line.

3. ~~On the easterly side of the Maumee River from the centerline of Fassett Street to the I-75 Bridge.~~

3. The area on the east side of the river extending upriver to the city boundary with the City of Rossford, from a line drawn easterly from a point on the east harbor line 208.86 feet southerly of harbor line point Navarre which point is also the southwesterly corner of International Park, and continuing said straight line parallel to the centerline extended and the centerline of Navarre Avenue to its intersection with the centerline of Miami Street.

c) ~~With respect to those areas indicated for shared use, being those located within the MR-O District not included in the areas designated in paragraphs a and b of this section, to encourage the beneficial co-ordination of residential, park, recreational, commercial, and appropriate industrial uses.~~

c) To promote in near downtown areas, primarily commercial uses and high intensity residential, while permitting other appropriate uses such as parks, recreational facilities, the retention of existing water-oriented industrial uses or non-disruptive additions to existing industrial facilities; to encourage the beneficial co-ordination of commercial, residential, recreational, park and appropriate industrial uses. To these ends, development shall be designed to establish through the spacing height and bulk of structures, an open character with respect to principal views of the river. Pedestrian circulation systems wherever feasible shall form a convenient, landscaped network to extensive areas of shoreline. It is further inten-

ded that adverse visual influences be prohibited or minimized, to preserve and enhance unusual visual qualities.

Such designated areas within the MR-0 are:

1. The area on the west side of the river from the southerly line of the Anthony Wayne Hi Level Bridge right-of-way, projected perpendicularly to the ground and extended westerly to the centerline of Morris Street, downriver in a northerly direction to the centerline of Monroe Street extended to the centerline of Swan Creek, thence along the centerline of Swan Creek to the Maumee River.

2. The area on the east side of the river from the centerline of Main Street downriver in a northeasterly direction to the intersection of the line between Lots 2 and 3 of the Partition Plat of part of Section 31, Town 9 South, Range 8 East, (C.P. Ct. #38019) with the harbor line, thence southeasterly along said line between Lots 2 and 3 for 1000 feet more or less to the north line of the Con Rail Railroad siding 224 feet more or less northwesterly of Front Street, thence along the northerly line of said railroad siding in a northwesterly direction to the northeasterly line of Lot 3 in said partition of Section 31, thence in a southerly direction along the said northeasterly line of Lot 3 extended to the centerline of Front Street.

3. The area on the west side of the river from the centerline of Walnut Street downriver in a northeasterly direction to the Craig (I-280) Bridge.

4. The area on the west side of the river bounded by a line beginning at a point on the southerly right-of-way of the Con Rail Railroad (formerly Pennsylvania Railroad) where it is intersected by the centerline of Oak Street extended northerly in a straight line from its intersection with Front Street, thence southerly along the centerline extended and the centerline of Oak Street to its intersection with the centerline of First Street, thence southwesterly along the centerline of First Street a distance of 1080 feet more or less as extended to the centerline of Yondota Street extended, thence northerly along the centerline of Yondota Street extended to the south line of the Con Rail Railroad (formerly Pennsylvania Railroad) right-of-way, thence northeasterly along the southerly line of the said railroad right-of-way to the point of beginning.

Sec. 9-26-4

SECTION 9-26-4 Variation of Zoning District Regulations

A. Variation of Regulations

Variations may be required or permitted from a regulation or regulations applying generally within the underlying district upon finding in a particular case that such variations are necessary to achieve the public purposes set forth for the MR-0 District or for public protection or protection of particular buildings and their environs, or undeveloped areas of public interest, or to ease the transition from one zoning district or type of use to another. Such variations may require or permit such change as:

1. Buffering and screening, modification of yards or other open space generally required, changes in signs, and changes in height.

2. Elimination of or limitation on specific uses otherwise permitted. Determination of any such elimination or limitation of a specific use may be requested without plan review in order to reduce the time and expense of review in those cases where the Commission finds it can feasibly determine such limitation independently or a review of detailed site and development or operational plans.

B. Zoning Map Notation

Notation concerning required or permitted variations shall be made on the official zoning map by appropriate identification and date, and a copy of the variation shall be filed in the office of the Zoning Administrator for future guidance and as a public record. As appropriate to the circumstances of the case, a copy may also be recorded with the County Recorder.

C. Prohibition of Change

No person shall make a change as defined below before such change is approved unless it has been exempted under the terms of this ordinance or is for emergency work. Emergency work may be commenced concurrent with an application for review when there is imminent danger of personal injury or material damage to property. Plans for emergency change shall be filed for review as soon as possible and not later than the first working day after repairs have commenced. No building, occupancy, Health Department or other permit or license shall be issued for a change required to be reviewed under this ordinance unless the change has

been approved or is proceeding as emergency work under concurrent review.

For the purposes of the MR-O District, change shall mean:

1. Construction or alteration of a structure, but not replacement of industrial machinery or fixtures which do not involve a structural alteration as defined in Section 9-2-1 of the Toledo Municipal Code.
2. Occupancy of vacant premises.
3. Commencement of a different land use.
4. Filling, grading, or excavating of land.

D. Limited Exemption from Review

1. Proposed changes by existing industrial uses which involve a total projected expenditure of less than \$100,000 or 25% of the appraised value of the premises as listed by the Lucas County Auditor whichever is the lesser, shall be exempt from review provided:

a. They do not involve a change in land use, or the external configuration of a main structure, external oriented signing or substantial change in the grade of the land or access thereto.

b. The cumulative total of said expenditures, over any three-year period, on the same structure or project is not reasonably expected to, and does not exceed the lesser amount specified above.

2. ~~Review of~~ proposed changes by industrial uses not otherwise exempt, located within the

portion of the MR-0 District designated by Section 9-26-3(b) as principally for ~~commerce-and~~ industry, and in accordance with the underlying zoning, shall be limited to the following site plan and environmental review items including:

- a. Location, height, and bulk of buildings
- b. Traffic access, roadways, parking
- c. Buffering, screening, site grading, and erosion
- d. Signage
- e. Provision for public access.

SECTION 9-26-5 Review Procedure and Guidelines

A. Submission of Plans

Before a change is commenced, site plans, building plans, and elevations and operational plans as required by the Plan Commission for its review, shall be submitted to the Commission. The Commission may review proposals without detailed plans as provided in Section 9-26-5, B.

B. Administrative Review

Review of changes not otherwise exempted, related to existing uses, which involve *following paragraphs 1, 2 and 3 may be reviewed by the Director of the Plan Commission, within thirty (30) days following his receipt thereof. The Director shall mail or give personal delivery of written notice of each proposal or plan to the Commission within one working day*

after it is approved and shall include it in his remarks to the Commission at the first Commission meeting following approval. A building permit may be issued fifteen (15) days after approval unless an appeal is filed. Whether the Executive Director approves or disapproves the proposal, the applicant, any aggrieved party, or any member of the Plan Commission, may, within fifteen (15) days thereafter, appeal the decision to the Plan Commission, by written notice to the Commission for their review and determination.

1. A total expenditure of less than \$50,000 or 25% of the total appraised value of the premises, as listed by the Lucas County Auditor, whichever is the lesser amount; and

2. All proposals or plans for construction or alteration of detached one or two family dwellings; and

3. All proposals pursuant to Section 9-26-4 (D) ~~(2). may-be-reviewed-by-the-Director-of-the-Plan-Commission,-within-thirty-(30)-days-following-his-receipt-thereof.--The-Director-shall-mail-or-give-personal-deliver-of-written-notice-of-each-proposal-or-plan-to-the-Commission-within-one-working-day-after-it-is-approved-and-shall-include-it-in-his-remarks-to-the-Commission-at-the-first-Commission-meeting-following-approval.--A-building-permit-may-be-issued-fifteen-(15)-days-after-approval-unless-an-appeal-is-filed.--Whether-the-Executive-Director-approves-or-disapproves-the-proposal,-the-applicant,-any-aggrieved-party,-or-any-member-of-the-Plan-Commission,-may,-within-fifteen-(15)-days-thereafter,-appeal-the-decision-to-the-Plan-Commission,-by-written-notice-to-the-Commission-for-their-review-and-determination,~~

C. Plan Commission review

1. The Plan Commission shall hold a public hearing on proposed changes not within the review of the Planning Director under Paragraph 2 above, ~~within sixty (60) days of the receipt thereof~~, and on any items reviewed by the Planning Director and which are properly appealed. Such hearing shall be held within sixty (60) days after the ~~appeal is filed~~, request for review by the Commission is filed.

2. If the Plan Commission approves the plans, building permits may be issued in accordance therewith ten (10) days thereafter, unless appealed. Any aggrieved party may, within ten (10) days after the Plan Commission decision, appeal the decision to the City Council by filing written notice of appeal with the Plan Commission, and the Clerk of Council, in which case the study and decision of the Plan Commission shall be forwarded to City Council within two weeks for public hearing and final decision by Council within forty-five (45) days.

D. General

No permit required for uses or development reviewed under Article XXVI shall be issued without final approval under Section 9-26-5. Approval may be granted for the plans as submitted, or conditionally subject to stated modifications, or may be denied with written reasons for the denial supplied to the applicant.

E. Review Guidelines

1. Reviews under this sub-section 5 shall be based on: consideration of the intent, prin-

ciples, and standards of the MR-0 District, regulations for the underlying district; the Central Business District Master Plan and the related landscape architecture plan approved by City Council on October 25, 1977, and amendments thereto, as approved by City Council as most recently approved by Council and amendments thereto, as approved by City Council; the summary Riverfront Plan as approved by Council and amendments thereto; the problems, objectives and principles, but not necessarily the specific land use delineations, set out in the report "Toledo Looks to the River", when applicable, and the necessity for requiring or permitting variations in the circumstances of the particular case, as provided in this ordinance for the Maumee River Overlay District.

2. The review shall include but is not limited to, consideration of the following specific items:

a. The relation of the proposed use and/or development to surrounding or otherwise affected property in terms of location, amount, character, and continuity of open space; protection of desirable principal views; height and bulk of structures;

b. Convenience of access through and between buildings or in other locations where appropriate for public purposes and where such access will reduce pedestrian congestion on public streets;

c. Separation of pedestrian and vehicular traffic;

d. Signs, lighting landscaping;

e. Advisory comments received from the Toledo-Lucas County Port Authority, the United States Army Corps of Engineers, the Toledo Metropolitan Area Council of Governments, the City Traffic Engineer, the Toledo Pollution Control Agency, the Ohio Environmental Protection Agency, the United States Environmental Protection Agency and such other agencies as may be affected from time to time. Official permits and approvals from such agencies may be considered evidence of minimal environmental impact in the specific category covered by such permit or approval; though such permits and approvals are not necessarily required prior to review and approval under this ordinance.

f. Such other matters as are appropriate to determinations in the circumstances of the case, particularly matters related to the purpose and intent of the MR-O District.

3. Uses

The following uses are set out as examples of development meeting the general purpose and intent of the MR-O.

a. Public parks, recreation, and cultural facilities.

b. Scenic drives, walkways, bicycle paths.

c. Commercial recreation facilities, including small boat marinas, open to the public.

d. Restaurants and other food service facilities open to the public which orient people assembly areas to the river.

e. Indoor theaters, auditoriums, cultural and arts and crafts display areas.

f. Government buildings needed for service to the area or open to the public.

g. Office buildings in and adjacent to the Central Business District but not between Water Street and the River.

h. Boutiques and similar specialty shops and retail establishments particularly when located within or adjacent to a landmark or historic district which by their design and merchandising carry out the theme concept and purpose of the landmark or district or otherwise complement the waterfront area.

i. Public service facilities, including ~~governmental-public-utility,-and-railroad-uses,~~ which have having a special peculiar locational need.

j. Multiple family dwellings on large sites or in areas not predominantly developed with single-family or incompatible commercial or industrial uses, but not between Water Street and the river or within the flood hazard area or generally not within 600 feet of the harbor line or 300 feet of the shoreline, whichever is greater.

k. Uses which are directly and necessarily related to water front locations, such as boat and ship repair and ship building, layover and winter dock facilities for freighters and other commercial watercraft.

l. Water-oriented industrial and-commercial facilities within the portions of the MR-O Dis-

strict designated principally for ~~commerce and~~ industry in Section 9-26-3(b), and such other sites as would be appropriate for the particular industrial use and in accordance with the purpose and guidelines of this ordinance. Water-oriented facilities are hereby defined as ~~one~~ *one* which:

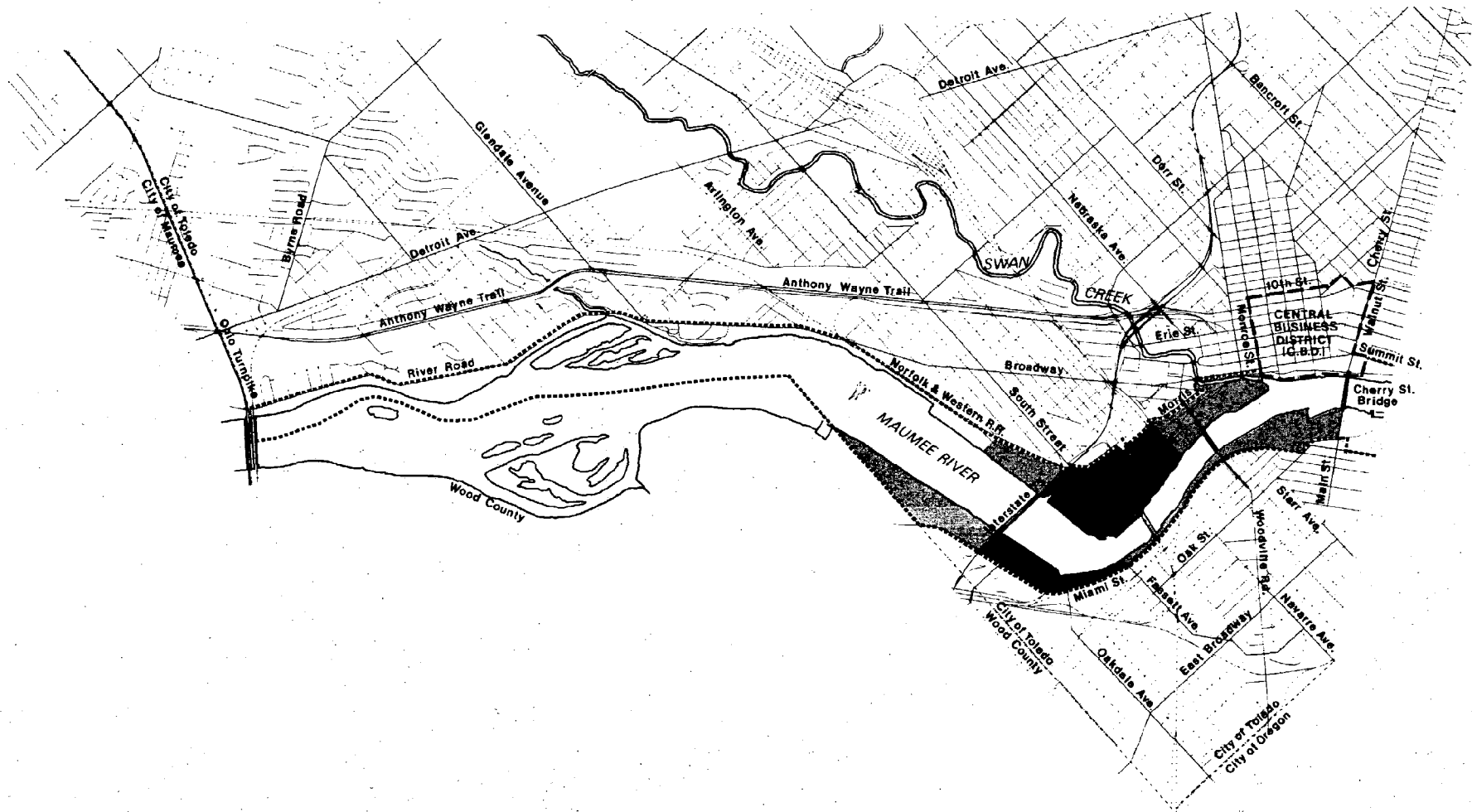
1. ~~One which~~ Operates docks, loading and unloading facilities for water borne commerce as the only or primary activity; or

2. Stores materials unloaded from or to be loaded on ships at the site where stored, which materials cannot readily be moved from or to the dock area at the time of loading or unloading; or

3. Processes materials unloaded from ships which materials are primarily intended for re-shipment by water from locations where said unloading and processing takes place; or

4. Processes materials unloaded from ships at the unloading location, which material could not readily be shipped elsewhere.





The following maps are provided to graphically display the three area designations within Section 9-26-3 of the MR-O Ordinance. The first set of maps represent the existing area designations as adopted by Council in February of 1978. The second set of maps are proposed revisions based on the suggested MR-O Ordinance modifications.



EXISTING Maumee Riverfront Overlay (MR-O)* District Boundaries and Land Use Designations

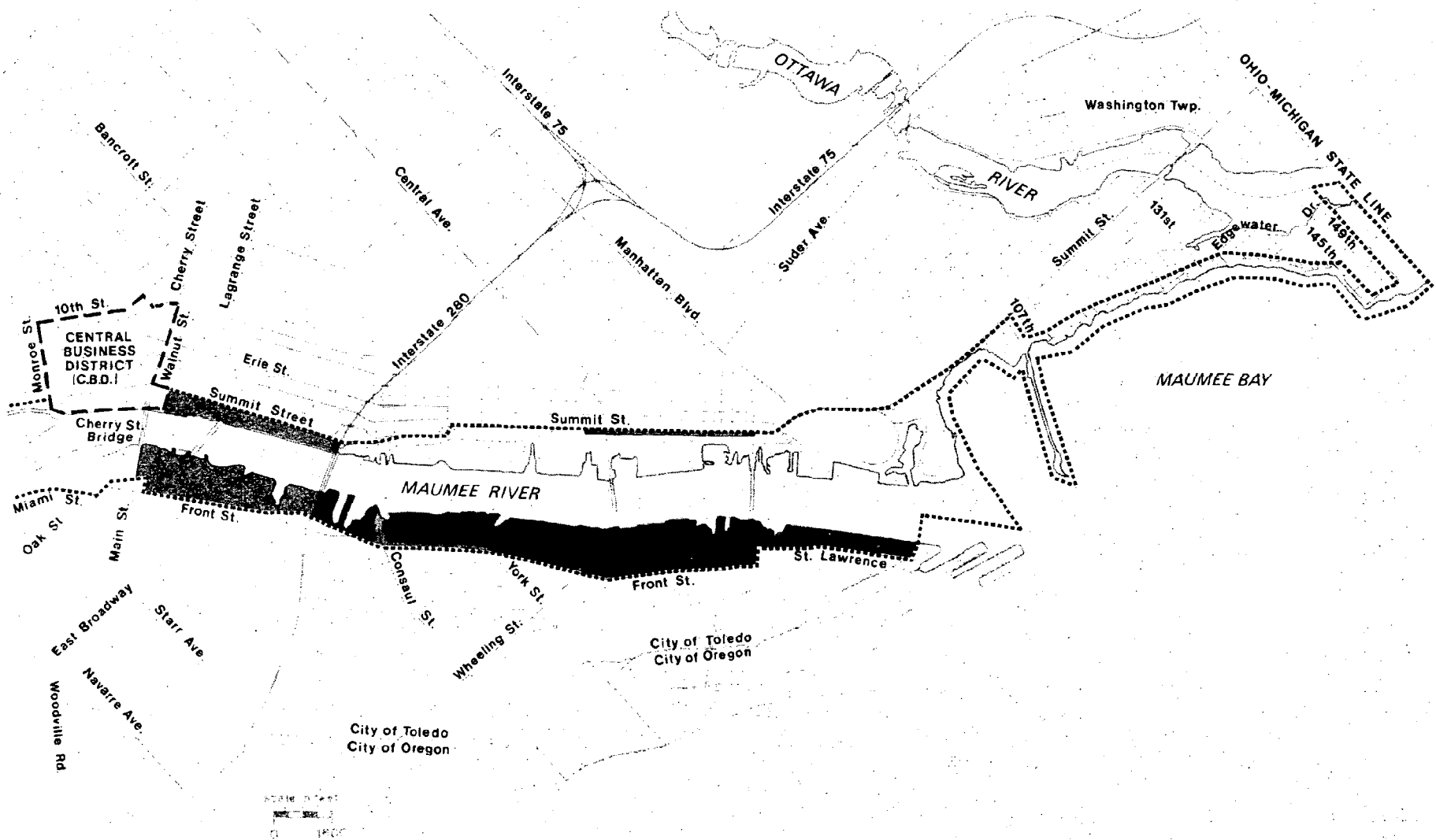
*As adopted February 14, 1978, Ord. 99-78

LEGEND

-  Principally for Residential, Park & Water Oriented Recreation
-  Principally for Commerce and Industry, & Water Oriented Commerce and Industry
-  Shared Uses of Residential, Park, Recreational, Commercial, and appropriate Industrial Uses
-  Maumee Riverfront Overlay (MR-O) District Boundaries



Prepared by
Toledo-Lucas
County Plan
Commissions



EXISTING Maumee Riverfront Overlay (MR-O)* District Boundaries and Land Use Designations

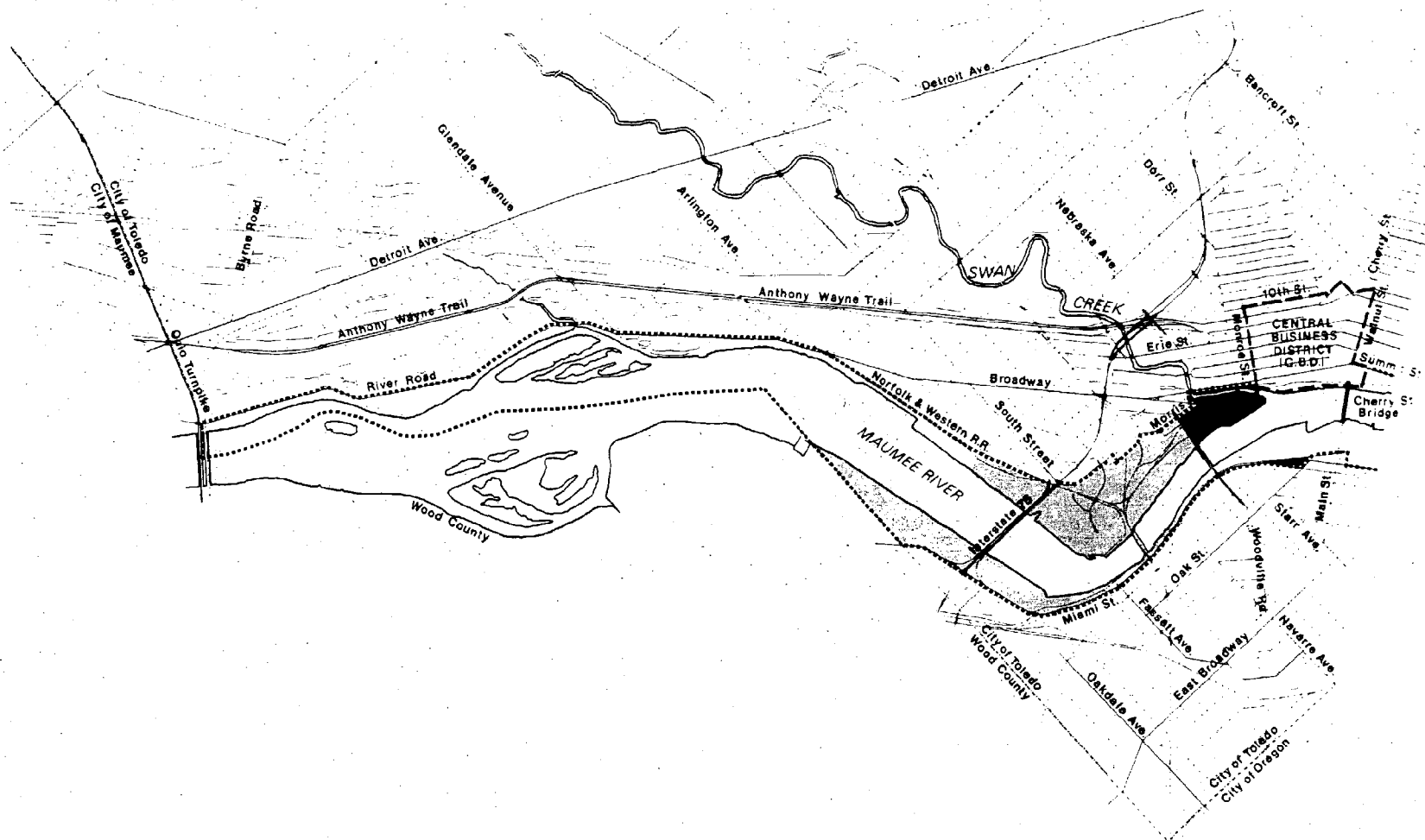
*As adopted February 14, 1978, Ord.99-78

LEGEND





- Principally for Residential, Park & Water Oriented Recreation
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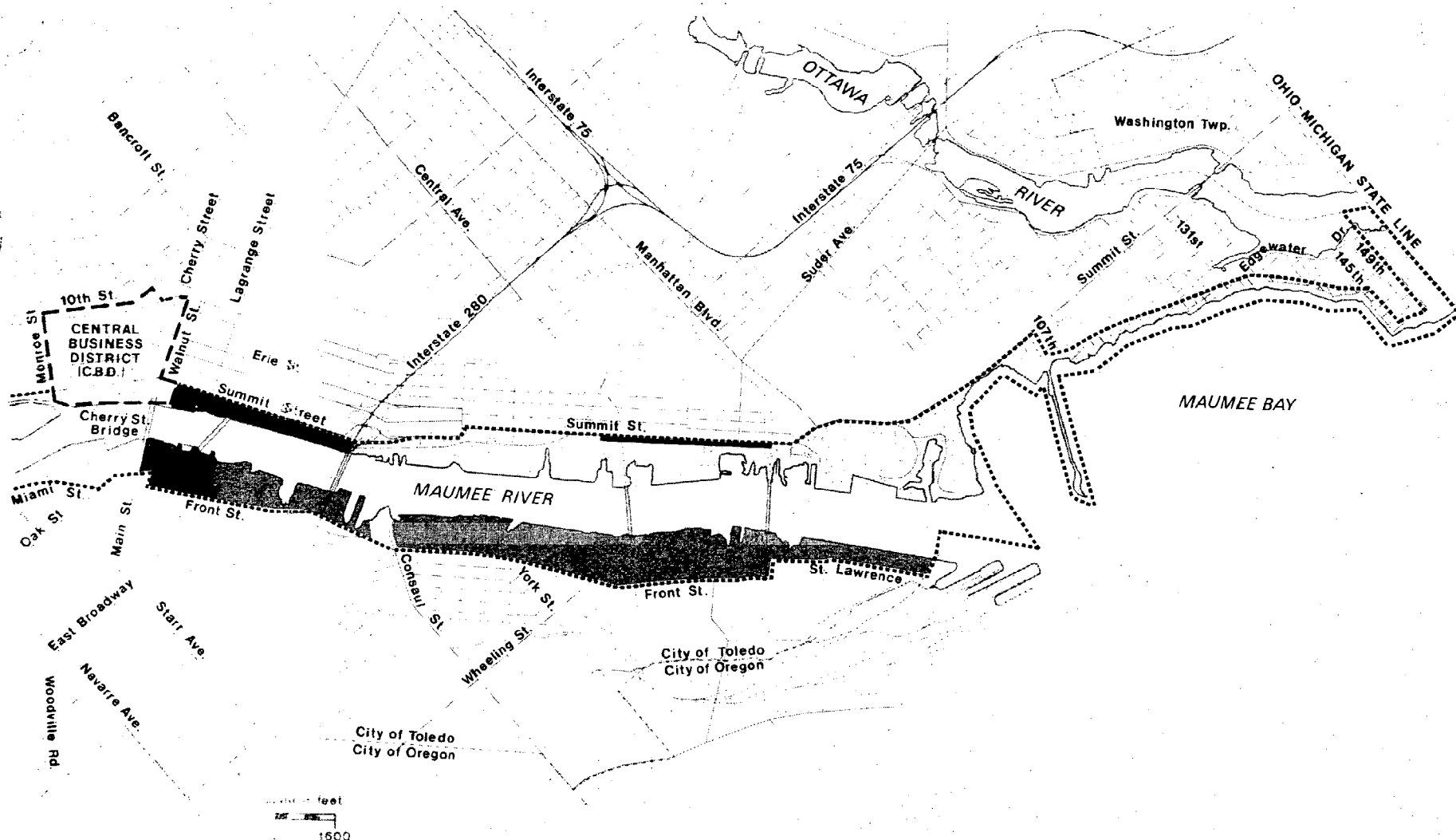


REVISED
Land Use Designations within
the Existing Maumee Riverfront
Overlay (MR-O) District

-  Principally for Residential, Park & Water Oriented Recreation
-  Principally for Water Oriented Industry
-  Principally for Commercial & High Intensity Residential
-  Maumee Riverfront Overlay (MR-O) District Boundaries







Prepared by
 Toledo-Lucas
 County Plan
 Commissions



REVISED **Land Use Designations within** **the Existing Maumee Riverfront** **Overlay (MR-O) District**

LEGEND

-  Principally for Residential, Park & Water Oriented Recreation
-  Principally for Water Oriented Industry
-  Principally for Commercial & High Intensity Residential
-  Maumee Riverfront Overlay (MR-O) District Boundaries



Prepared by
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County Plan
Commissions

Recommendations

- Adopt revised MR-O.
- Establish inter-departmental task force to co-ordinate riverfront development with Federal CZM monies. TLCPC would administer MR-O.
- Continue comprehensive urban design planning efforts of the entire MR-O area to provide for a co-ordination of all other planning efforts currently underway.
- Encourage development by the private sector to inter-relate with all proposed public improvements.

